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**New York State Department of Environmental Conservation**  
**Division of Environmental Enforcement**  
**Bureau of Enforcement and Compliance Assurance, 14<sup>th</sup> Floor**  
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November 18, 2002

Larry Leskovjan  
Environmental Safety, Health & Medical Services  
Northrop Grumman Corporation  
South Oyster Bay Road  
Bethpage, New York 11714-3581

F. Franklin Amanat, Assistant United States Attorney  
US Department of Justice, Eastern District of New York  
One Pierrepont Plaza, 16th Floor  
147 Pierrepont Street  
Brooklyn, New York 11201-2776

Dear Messrs. Leskovjan and Amanat:

Re: Residential Properties Near Plant 24 and Plant 3 Access Road

This letter is to request action by Northrop Grumman and the Navy on two issues regarding these residential properties.

Issue 1. Further characterization on contaminants on residential properties.

In letters of June 11 to Northrop Grumman and of August 8 to both Northrop Grumman and the Navy, the Department requested that you collect surface soil samples in the residential yards near the former Grumman Plant 24, just south of the U.S. Navy Plant 3 Access Road. In both instances, our request was denied and the Department, in conjunction with the New York State Department of Health, conducted the sampling without your participation.

In the most recent round of sampling (September 18 and 19), levels of PCB contamination found in the top 0-12 inches of soil were similar to those found in the earlier sampling event. (A copy of the laboratory report on the most recent round of residential sampling will be sent by separate cover.) The results also indicate that PCB contamination, at concentrations greater than one milligram per kilogram (mg/kg), is present in a few front yards and side yards that are somewhat removed from the Access Road fence line. Because of this, soil sampling needs to be continued onto roughly, six residential properties that were not previously tested.

Please provide the Department with a written commitment, no later than Tuesday, November 26, to implement this work. A work plan for the residential sampling should be received no later



than Friday December 6. This work plan should include a schedule to complete the work in a timely manner. Staff from the agencies are available to aid you in developing acceptable work plans as you request..

Please be advised that failure to make the commitments requested and/or the failure to timely submit work plans will result in the State developing and implementing the work plan. Should this occur, the State will pursue responsible parties for any and all costs expended in this endeavor.

Issue 2: Soils Blowing from the Access Road

At a meeting with the Bethpage Community Council, on Thursday, November 7, residents expressed concern about dust blowing onto their properties from bare patches that are present in the grassed areas of the access road property. These bare patches often coincide with areas where surface soils were found, by Northrop Grumman, to be contaminated with PCBs. Neighboring residents also requested construction of an opaque fence to separate the yards from contaminated areas.

The Department would like to discuss the possibility of addressing these concerns as an Interim Remedial Measure (IRM) to prevent the migration of potentially contaminated soils from the access road to neighboring properties.

If you have any questions regarding this letter, please contact me, at (518) 402-9507, or Larry Rosenmann, of the Division of Solid & Hazardous Materials, at (518) 402-8594.

Sincerely,

Stephen Hamilton  
Hazardous Waste Compliance Counselor

cc: F. Amoroso, Nixon Peabody, L.L.P.  
P. Sobel, Office of the General Counsel

bcc: ~~J. Reidy, USEPA Region II~~  
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